

JUDGE BUCHWALD

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Attorneys for Plaintiff
Tatiana Akhmedova

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TATIANA AKHMEDOVA,

Plaintiff,

-against-

FARKHAD AKHMEDOV, and STRAIGHT
ESTABLISHMENT,

Defendants,

19CV7966

Civil Action No.

DECLARATION OF JAMES H. POWER IN SUPPORT OF RULE B ATTACHMENT

I, James H. Power, declare as follows:

1. I am an attorney with the law firm of Holland & Knight LLP, counsel for Plaintiff Tatiana Akhmedova (“Ms. Akhmedova” or “Plaintiff”), and am duly admitted to practice before the United States District Court for the Southern District of New York.

2. I am familiar with the facts and circumstances underlying this dispute and this declaration is executed by the undersigned in order to secure the issuance and execution of a Writ of Attachment in the above-styled action.

3. As attorney for Ms. Akhmedova, I hereby certify to the Court and the Clerk of Court that the undersigned has made a diligent and reasonable search and inquiry to ascertain the name and address of a person or party upon whom can be served process *in personam* which will bind Defendants Farkhad Akhmedov and Straight Establishment in this District.

4. Defendants are not listed in the telephone directory of the principal metropolitan areas in this District.

5. At my instruction, my office examined the online database of the New York Department of State on August 23, 2019 and Straight Establishment was not listed as a foreign entity registered to do business in New York.

6. At my instruction, my office consulted additional sources including *inter alia* the Westlaw Company Index and Equasis, and was unable to find the Rule B Defendants within this District or within the State of New York.

7. To the best of my knowledge, based upon such diligent search and inquiry my office has been unable to ascertain the name and address of any person or party within this District upon whom service of process would bind the Defendants.

8. Based upon the facts set forth in the Verified Complaint, I respectfully submit that the Rule B Defendants are liable to Plaintiff for the damages alleged in the Verified Complaint, which amounts, as best as can presently be determined to a total of \$487,278,000, plus interest and costs.

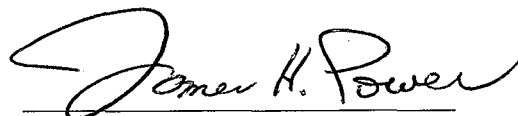
9. Upon information and belief, the Rule B Defendants have tangible and intangible property including debts, assets, effects, and monies, funds, credits or accounts which belong to it or are maintained for its benefit within the District by third party garnishees.

10. As further set forth in the Verified Complaint, Defendants Farkhad Akhmedov and Straight Establishment use a third party paying agent Y CO NY INC. to conduct business on their behalf, specifically the payment of expenses related to the vessel M/Y LUNA (the "Vessel"). Y.CO NY is a New York entity subject to general jurisdiction and maintains and agent for service of process in New York, and maintains at least one bank account with Bank of America, located in New York.

11. Plaintiff therefore requests that this Court, pursuant to Rule B(1) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, issue a writ of maritime attachment for an amount up to \$487,278,000 against the Rule B Defendants' property in the District, including but not limited to property in the hands of garnishees Y CO NY INC and Bank of America.

12. I declare under penalty of perjury that the foregoing is true and correct to the best of my belief.

Executed on this 26th day of August, 2019.


James H. Power